

**MINUTE ITEM**

This Calendar Item No. C33 was approved as Minute Item No. 33 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

**CALENDAR ITEM**

**C33**

A 2, 8, 9

06/26/06

S 4, 5, 6, 8

PRC 7203.9

D. Jones

**AMENDMENT OF LEASE**

**LESSEE:**

The Reclamation Board  
3310 El Camino Avenue, Room 140  
Sacramento, CA 95825

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Sacramento River at five (5) critical erosion sites: Sacramento River near Walnut Grove, Sacramento County; Sacramento River near Courtland, Yolo County; Sacramento River near the city of West Sacramento, Yolo County; Sacramento River near Knights Landing, Yolo County; and Sacramento River near Wagner, Sutter County.

**AUTHORIZED USE:**

The construction, use and maintenance of new bank protection.

**LEASE TERM:**

Master Lease:  
30 years, beginning May 1, 1988.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**PROPOSED AMENDMENT:**

Lessee proposes to implement bank protection at the five designated levee sites along the Sacramento River which are among the critical erosion sites in the Governor's February 24, 2006, Declaration of State of Emergency of California Levee System, and March 7, 2006, Executive Order S-01-06. All other terms and conditions of the lease shall remain in effect without amendment.

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**OTHER PERTINENT INFORMATION:**

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The Sacramento River Bank Protection Project, authorized by Congress in 1960, directs the U.S. Army Corps of Engineers to provide bank protection along the Sacramento River and its tributaries. The State Legislature authorized the Reclamation Board's participation in the Sacramento River Bank Protection Project.

A Master Lease to the Reclamation Board for the Sacramento River Bank Protection Project was authorized by the State Lands Commission on May 9, 1988, effective May 1, 1988. The Master Lease authorizes maintenance of existing bank protection structures and construction of new bank protection structures as specific construction sites become known. The Master Lease also requires the Reclamation Board to seek an amendment of the lease to include new sites as they become known.

3. On February 24, 2006, Governor Arnold Schwarzenegger declared a state of emergency (Declaration of State of Emergency of California Levee System and March 7, 2006 Executive Order S-01-06) with respect to California's levee system. The Governor's proclamation focused on the imminent threat of certain critical levee-erosion sites in the counties of Colusa, Sacramento, Solano, Sutter, Yolo and Yuba. Also being considered by the Commission at this meeting are two other applications: one from the Department of Water Resources to repair 15 of the critical erosion sites, and one from The Reclamation Board to repair eight sites in the Pocket Area, city of Sacramento, Sacramento County.
4. Under this application, which is separate from the Board's application to repair the eight sites in the Pocket Area, the Reclamation Board, in partnership with the U.S. Army Corps of Engineers under the Sacramento River Bank Protection Project, is proposing to repair five critical erosion sites: Sacramento River near Walnut Grove, Sacramento County; Sacramento River near Courtland, Yolo County; Sacramento River near the city of West Sacramento, Yolo County; Sacramento River near Knights Landing, Yolo County; and Sacramento River near Wagner, Sutter County. Erosion into the banks at these sites requires immediate work to prevent levee failure according to the parties.

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5. The proposed bank protection work at each of the sites involves rock revetment, placement of non-engineered fill, and placing and preserving existing in-stream wood material clusters for aquatic habitat and planting pole and container plantings to stabilize the bank and provide riparian habitat.
6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
7. A Mitigated Negative Declaration was prepared and adopted for this project by The Reclamation Board. The California State Lands Commission's staff has reviewed such document.
8. A Mitigation Monitoring Program was adopted by the Reclamation Board.

**APPROVALS REQUIRED:**

U.S. Army Corps of Engineers, NOAA Fisheries, U.S. Fish and Wildlife Service, California Department of Fish and Game, The Reclamation Board, California Regional Water Quality Control Board

**EXHIBIT:**

- A. Site Map and Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE STATE RECLAMATION BOARD AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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ADOPT THE MITIGATION MONITORING PROGRAM, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE THE AMENDMENT OF MASTER LEASE NO. PRC 7203.9, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 26, 2006, TO INCLUDE BANK PROTECTION WORK OF THE FIVE CRITICAL LEVEE SITES DESCRIBED ABOVE; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

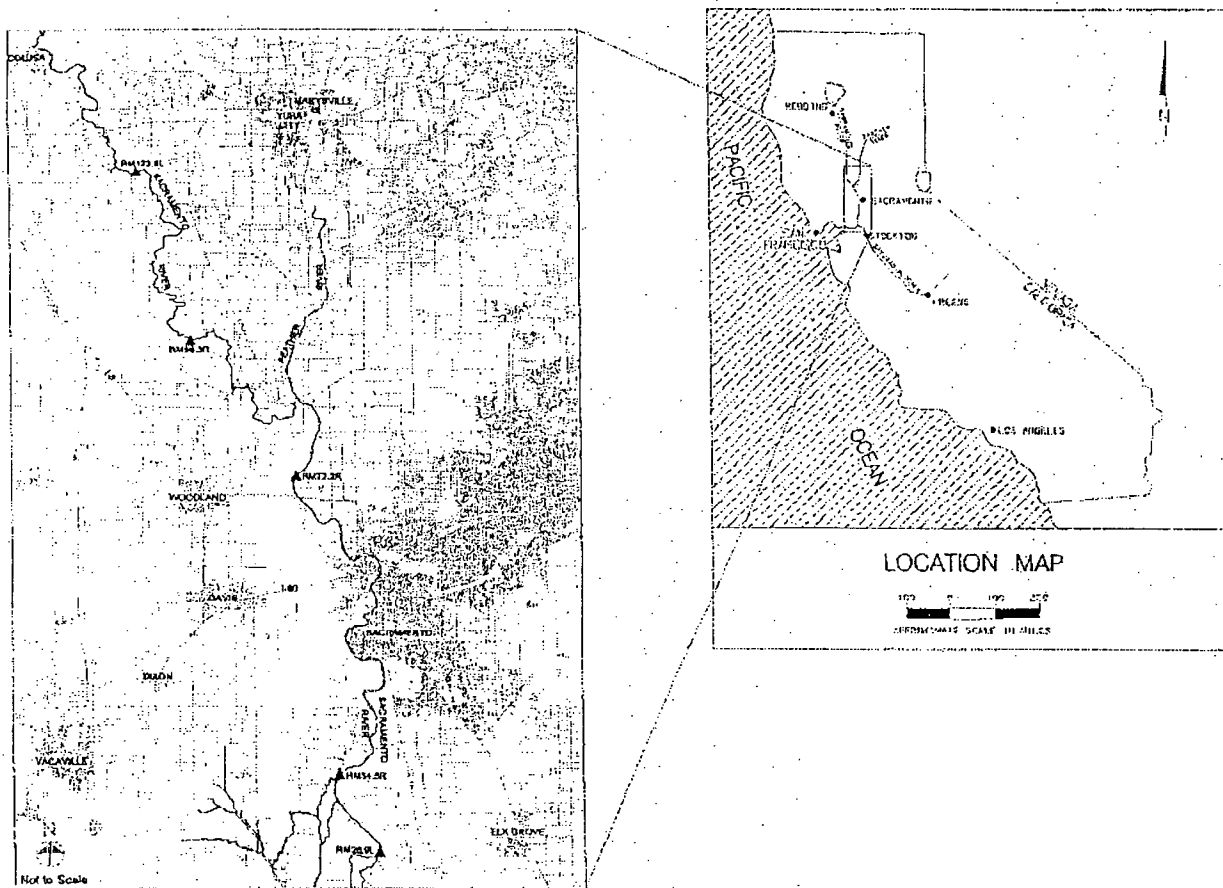


Figure 1. Project Location Map

This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

**Exhibit A**  
**WP 7203.9**

5 sites on Sacramento River near Walnut Grove, city of Sacramento, Knights Landing, Woodland and Meridian